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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
) MDL Case No. 06-2392 CRB

Plaintiffs,) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
vs.) AS TO PLAINTIFF DANIEL RUEST

PFIZER, INC., et al.)

Defendants.)

COME NOW, Plaintiff DANIEL RUEST and Defendants PFIZER, INC., et al., by and
through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF DANIEL RUEST**

1 hereby stipulate to the dismissal of Plaintiff DANIEL RUEST from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5
6 Dated: September 29 2009

KABATECK BROWN KELLNER LLP

7
8 By: 

Brian S. Kabateck, Esq.

Attorneys for Plaintiff DANIEL RUEST

9
10
11 Dated: October 27, 2009

DLA PIPER LLP

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13 By: /s/

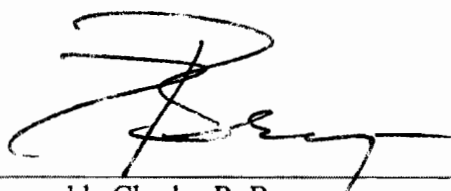
Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

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16 **ORDER**

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18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
19 **SO ORDERED.**

20
21 Dated: OCT 29 2009


Honorable Charles R. Breyer
United States District Court